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Attorney for Applicant

Date: May 5, 2004



Application No. : 10/772,196
Applicant : Michael L. Jordan
Filed : 4 February 2004
TC/A.U. : Not Yet Assigned
Examiner : Not Yet Assigned

Atty. Docket No. : DB001104-000
Customer No. : 24122

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Enclosed for filing in the above-captioned application, please find the following:

- An Information Disclosure Statement; and
- Form PTO/SB/08A.

Also enclosed is a return postcard. Please date stamp and mail the postcard in order to acknowledge receipt of the above-reference correspondence. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

Edward L. Pencoske
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One Oxford Centre
301 Grant Street, 14th Floor
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Tel.: 412/394-7789
Fax: 412/394-2555
Attorney for Applicant

Dated: May 5, 2004

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To: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement

Sir:

Pursuant to the provisions of 37 CFR §§1.56 and 1.97-98, enclosed herewith is:

- ☒ Form PTO/SB/08A
☐ Form PTO/SB/08B

listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is "prior art" to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability as defined in 37 CFR §1.56, or that no other material information exists, and shall not be construed as an admission against applicant(s) interest in any manner.

The Information Disclosure Statement submitted herewith is being filed pursuant to:

☐ 37 C.F.R. §1.97(b)(1); no fee is required;

OR

☐ 37 C.F.R. §1.97(b)(2); no fee is required;

OR

☒ 37 C.F.R. §1.97(b)(3); no fee is required;

OR

☐ 37 C.F.R. §1.97(b)(4); no fee is required;

OR

☐ 37 C.F.R. §1.97(c);

AND either

☐ The fee set forth in §1.17(p) is attached; OR

Applicant certifies pursuant to 37 CFR §1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item contained in the Information Disclosure Statement was known to any individual designated under 37 CFR §1.56(c) more than three months prior to the filing of this statement;

OR

☐ 37 C.F.R. §1.97(d); the fee set forth in §1.17(p) is attached,
AND

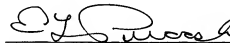
☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item contained in the Information Disclosure Statement was known to any individual designated under 37 CFR §1.56(c) more than three months prior to the filing of this Statement.

Applicant respectfully requests that the listed references be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning a copy of the attached form(s) with the next Official Action.

Respectfully submitted,

Dated: 5 May 04



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/772,196
Filing Date	February 4, 2004
First Named Inventor	Jordan, Michael L.
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	DB001104-000

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6,522,945 B2	02-18-2003	Sleep et al.	
		US- RE37,829 E	09-03-2002	Charhut et al.	
		US- 6,317,648 B1	11-13-2001	Sleep et al.	
		US- 6,256,967 B1	07-10-2001	Hebron et al.	
		US- 5,771,657	06-30-1998	Lasher et al.	
		US- 5,720,154	02-24-1998	Lasher et al.	
		US- 5,660,305	08-26-1997	Lasher et al.	
		US- 2003/0144876 A1	07-31-2003	Kosinski et al.	
		US- 2002/0099467 A1	07-25-2002	Sleep et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code* Number + Kind Code* (if known)				

Examiner Signature /Rachel Porter/ (06/23/2008)

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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